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#6/BM
7-30-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dietmar ZIELKE

Appl. No. 09/783,298

Filed: February 11, 2001

For: METHOD OF AND APPARATUS
FOR RECOVERING AND
RECYCLING TOBACCO DUST

Art Unit: 1731

Examiner: Mark HALPERN

Atty. Docket No. 31512-168762 RK

Confirmation No.: 2635

Customer No.



26694

PATENT TRADEMARK OFFICE

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RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the requirement for restriction in the Office Action mailed on June 21, 2002,
Applicant hereby elects Group I containing Claims 1-15.

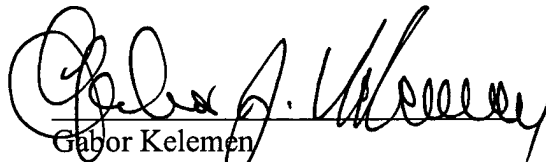
Applicant respectfully traverses the restriction requirement. Applicant respectfully submits that the claimed apparatus cannot be used in a materially different manner than that of the claimed method. The application specifically claims the means for gathering the tobacco dust and the means for processing the tobacco dust, thereby bringing the tobacco dust of the "intended use phrase" into the main body of the claim. Clearly the apparatus is for gathering dust and cannot be used for a

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materially different process. Accordingly, Applicant respectfully requests that the requirement be withdrawn and requests an examination of claims 1-23.

Respectfully submitted,

Date: July 22, 2002



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